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Attorneys for Plaintiffs

**IN THE DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

ÖZCAN GENÇ, HASAN GÖKÇE, and
SÜLEYMAN KÖŞ, on behalf of themselves
and all others similarly situated,

Plaintiffs,

vs.

IMPERIAL PACIFIC INTERNATIONAL
(CNMI), LLC, IMPERIAL PACIFIC
INTERNATIONAL HOLDINGS LTD., and
IDS DEVELOPMENT MANAGEMENT &
CONSULTANCY,

Defendants.

) Case No. 1:20-CV-00031

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Plaintiffs hereby submit a second status report on their efforts to secure documents from Defendants Imperial Pacific International (CNMI), LLC (“IPI CNMI”) and Imperial Pacific International Holdings Ltd. (“IPI Holdings”) on class membership and damages.

At a hearing on August 12, 2021, the Court permitted Plaintiffs to withdraw their Motion to Compel Discovery because case law indicated that defaulting parties are not subject to interrogatories and requests for production. Plaintiffs’ counsel advised the Court that Plaintiffs intended to secure documents instead through subpoenas or depositions. On behalf of defendants, Ray Yumul reported to the court on defendants’ efforts to secure counsel. Mr. Yumul confirmed that he will accept service of process for defendants by email and gave

1 Plaintiffs' counsel his email address.

2 On August 18, 2021, Plaintiffs' counsel emailed Mr. Yumul two subpoenas duces tecum
3 – one for IPI CNMI and one for IPI Holdings – with return dates of September 20, 2021. On
4 August 19, 2021, Mr. Yumul acknowledged receipt of the subpoenas.

5 Also at the August 12 hearing, the Court noted that Plaintiffs' Motion for Entry of
6 Partial Default Judgment, ECF No. 16, is still under advisement. At a hearing on March 3, 2021,
7 the Court directed Plaintiffs' counsel to file an amended exhibit by March 4 at noon, and the
8 exhibit was so filed (Second Amendment to Statement of Damages on FLSA Claims and
9 attachments, ECF 31). Plaintiffs are aware that in U.S.A. Fanter's case against IPI CNMI, No.
10 20-CV-00003, the Court recently appointed a limited receiver to sell some of defendant's assets
11 to satisfy a judgment. In light of this development, if the Court needs anything further from
12 Plaintiffs to facilitate the determination of their motion and the entry of a partial default
13 judgment, should the Court so request Plaintiffs stand ready to make their best efforts to assist.

14 Respectfully submitted this 26th day of August, 2021.

15 BANES HOREY BERMAN & MILLER, LLC

16 /s/
17 Richard C. Miller